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In re Application of
AXTEN et al
Application No.: 10/533,501
PCT No.: PCT/US2003/035206
Int. Filing Date: 04 November 2003
Priority Date: 05 November 2002
Attorney Docket No.: P51380
For: ANTIBACTERIAL AGENTS

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DECISION ON

PETITION UNDER
37 CFR 1.182

This is in response to applicants' submission "Petition to Commissioner Under 37 C.F.R. 1.182" filed on 22 February 2006. This submission states that the correct applicant's name is Mark Andrew SEEFIELD not Mark Anthony SEEFIELD for the fourth joint inventor. The petition fee of \$130.00 has been charged petitioner's Deposit Account No.: 19-2570 as stipulated on the petition.

BACKGROUND

In a 01 February 2006 decision from this Office, the decision indicated that the application could not enter into national stage at that time since it was unclear if the current name was a result of a to a name change or typographical error.

On 23 February 2006, applicant filed a petition under 37 CFR 1.182 indicating that the correct name is "Mark Andrew SEEFIELD" and not as listed "Mark Anthony SEEFIELD."

DISCUSSION

The correct name of the fourth inventor is "Mark Andrew SEEFIELD" as indicated in the declaration submitted. The affidavit provided states that his correct name is Mark Andrew SEEFIELD and this will be reflected in the U.S. national stage processing.

DECISION

For the reasons above, the petition under 37 CFR 1.182 is GRANTED. The application will be granted a 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) date of 29 December 2005.

Nonetheless, the application does not meet the requirements under 35 U.S.C. 371 for entry into the national stage in the US. Applicant is required to provide an oath or declaration in compliance with 37 CFR 1.497(a)-(b) within TWO (2) MONTHS from the mail date of this Decision. Failure to respond will result in the abandonment of the application. Extensions of time under 37 CFR 1.136(a) are available.

Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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